

ESTTA Tracking number: **ESTTA525207**

Filing date: **03/06/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	XIKAR, INC.
Granted to Date of previous extension	03/06/2013
Address	3305 TERRACE STREET KANSAS CITY, MO 64111 UNITED STATES
Attorney information	PENNY R. SLICER, REG. NO. 34,017 STINSON MORRISON HECKER LLP STINSON TRADEMARK ADMINISTRATOR , 1201 WALNUT STREET, SUITE 2900 KANSAS CITY, MO 64106-2150 UNITED STATES TRADEMARK@STINSON.COM Phone:816.842.8600

### Applicant Information

Application No	85652496	Publication date	11/06/2012
Opposition Filing Date	03/06/2013	Opposition Period Ends	03/06/2013
Applicant	Bram Warren, Company 18100 S.W. 50 Street Southwest Ranches, FL 33331 UNITED STATES		

### Goods/Services Affected by Opposition

Class 034. First Use: 2011/04/15 First Use In Commerce: 2011/06/00  
All goods and services in the class are opposed, namely: Ashtrays for smokers

### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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### Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2200215	Application Date	08/19/1996
Registration Date	10/27/1998	Foreign Priority Date	NONE
Word Mark	XIKAR		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	Class 034. First use: First Use: 1997/02/06 First Use In Commerce: 1997/02/06 cigar cutters

U.S. Application No.	85751610	Application Date	10/11/2012
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	XIKAR FOR LIFE
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 034. First use: First Use: 2010/10/31 First Use In Commerce: 2010/10/31 CIGARS, CIGAR CUTTERS; HUMIDORS; CIGAR CARRYING CASES; CIGAR STORAGE DEVICES; CIGAR LIGHTERS
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Attachments	85751610#TMSN.jpeg ( 1 page )( bytes ) Notice of Opposition for CICAR.pdf ( 5 pages )(53013 bytes ) Exhibit A.pdf ( 10 pages )(353546 bytes ) Exhibit B.pdf ( 5 pages )(35559 bytes ) Exhibit C.pdf ( 3 pages )(34145 bytes )
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/PENNY R. SLICER/
Name	PENNY R. SLICER, REG. NO. 34,017
Date	03/06/2013

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Xikar, Inc. v. Bram Warren, Company

Serial No.: 85/652,496

Mark: CICAR

Filing Date: June 14, 2012

Published: November 6, 2012

Xikar, Inc.	)	
	)	
	)	
Opposer,	)	
	)	
v.	)	Opposition No.: _____
	)	
Bram Warren, Company	)	
	)	
Applicant.	)	
	)	

**NOTICE OF OPPOSITION**

Xikar, Inc. ("Opposer"), a Kansas corporation with its principal place of business at 3305 Terrace Street, Kansas City, Missouri 64111, believes that it will be damaged by registration of the mark CICAR that is the subject of Serial No. 85/652,496 filed June 14, 2012 by Bram Warren, Company ("Applicant") and hereby opposes the same. The grounds for opposition are as follows:

1. Applicant seeks to register the mark CICAR for "ashtrays for smokers" in International Class 034.
2. Applicant claims a first date of use of the mark CICAR of April 15, 2011.
3. Applicant's mark CICAR was published for purposes of opposition on November 6, 2012. Opposer filed timely requests for extension of time to oppose such that this Notice of Opposition is being timely filed.

4. Opposer is a developer, manufacturer and distributor of smoking accessories including, without limitation, cigar cutters, humidors, cigar carrying cases, cigar holders, lighters, and ashtrays.

5. Opposer has been using the trade name and trademark XIKAR in conjunction with the sale and promotion of smoking accessories since at least as early as 1997. A printout of pages from Opposer's website showing use of the name XIKAR in conjunction with various smoking accessories is attached as Exhibit A.

6. Opposer is the owner of Registration No. 2,200,215 for XIKAR for "cigar cutters" (the "XIKAR Registration"). A printout of the current status and title of the XIKAR Registration from the USPTO's Trademark Status & Document Retrieval (TSDR) database is attached as Exhibit B.

7. The XIKAR Registration has not been canceled, is valid and is in full force and effect.

8. The XIKAR Registration is incontestable under Section 15 of the Lanham Act, 15 U.S.C. § 1065, and is conclusive evidence of the validity of the registered mark, the registration, Opposer's ownership of the mark and Opposer's exclusive right to use the registered mark in commerce under Section 33 of the Lanham Act, 15 U.S.C. § 1115.

9. Opposer has also been using the mark XIKAR FOR LIFE in conjunction with its smoking accessories since at least as early as 2010.

10. Opposer owns pending Application Serial No. 85/751,610, filed October 11, 2012 for XIKAR FOR LIFE for "cigars, cigar cutters; humidors; cigar carrying cases; cigar storage devices; cigar lighters." A printout of the current status and title of this application from the TSDR database is attached as Exhibit C.

11. Opposer has invested substantial time, money and effort in promoting its smoking accessories under the XIKAR name. As a result of Opposer's extensive promotion and sales of its smoking accessories, Opposer's XIKAR mark has developed significant recognition and goodwill amongst consumers serving as a symbol of source for Opposer's smoking accessory products.

12. There is no issue of priority since Opposer used and registered its XIKAR mark long before the Applicant's claimed date of first use of April 2011. The mark XIKAR has been in continuous and exclusive use by Opposer in conjunction with smoking accessories since 1997, a date which precedes the claimed first use date of Opposer's mark by over 13 years.

13. Upon information and belief, Applicant knew that Opposer used the XIKAR mark as a trademark for smoking accessories before Applicant adopted and filed its application for the CICAR mark.

14. Applicant's CICAR mark is confusingly similar to Opposer's XIKAR mark as the marks are very similar in appearance and substantially identical in pronunciation and sound.

15. Applicant's goods of ashtrays for smokers are related to all of Opposer's smoking accessories and are identical in nature to Opposer's ashtrays. Applicant's goods and Opposer's goods are sold within the same channels of trade to the same class of consumers, namely in the smoking accessories field.

16. Due to these similarities in the parties' marks, goods and channels of trade, consumers and potential consumers are likely to be confused, deceived or mistaken as to the source, affiliation or sponsorship of the goods distributed under the CICAR mark. Specifically, these consumers and potential consumers are likely to believe that Applicant's goods originate

from Opposer or are otherwise endorsed, sponsored or approved by Opposer, resulting in a likelihood of confusion in the marketplace and damage to Opposer.

17. Registration of the mark in Serial No. 85/652,496 will result in damage to Opposer under the provisions of Section 2 of the U.S. Trademark Act, 15 U.S.C. § 1052, pursuant to the allegations stated above.

WHEREFORE, Opposer respectfully requests that the registration sought by Applicant be refused and that this opposition be sustained.

Please direct all correspondence to:

Penny R. Slicer  
STINSON MORRISON HECKER LLP  
1201 Walnut Street, Suite 2900  
Kansas City, MO 64106-2150

Opposer hereby appoints Penny R. Slicer, Reg. No. 34,017 and all other attorneys of the firm Stinson Morrison Hecker LLP, its attorneys to transact all business in the U.S. Patent and Trademark office relating to this matter with full power of substitution.

Dated this 6<sup>th</sup> day of March, 2013.

Respectfully submitted,

By: 

Penny R. Slicer  
Registration No. 34,017  
STINSON MORRISON HECKER LLP  
1201 Walnut Street, Suite 2900  
Kansas City, MO 64106-2150  
Telephone: (816) 842-8600  
Fax: (816) 691-3495  
ATTORNEYS FOR OPPOSER

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing Notice of Opposition was served this 6<sup>th</sup> day of March, 2013, by depositing a copy thereof in the U.S. mail, postage prepaid, addressed to the following and sending an email to the email address noted below:

Bram Warren, Company  
18100 S.W. 50 Street  
Southwest Ranches, FL 33331  
bramwarren@bramwarren.com

  
\_\_\_\_\_  
Attorney for Opposer

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^ XIKAR Stair Step  
Ashtray : Black



^ XIKAR Stair Step  
Ashtray : White

^ Click image for  
close-up view

## XIKAR Ceramic Stair Step Ashtrays

From first light to the last ash, smoke in style with the XIKAR Stair Step ashtray



The unique stair step notch design ensures that your freshly lit cigar doesn't fall down into the ash prematurely, and that tasty smoke you burn down to the nub has a rightful place to breathe until the last puff.

Perfect for the patio, smoking room or man cave.

Fits 5 cigars.

### Accessories

[Ceramic Ashtrays](#)  
[Crystal Ashtrays](#)  
[Ashtray Can](#)  
[Hats](#)  
[Shirts](#)  
[Stingray Sheath](#)

### Collections:

[Carbon Fiber](#)  
[Havana Collection](#)  
[Liga Privada](#)  
[Mayan Collection](#)  
[Room101 Collection](#)

### Cutters

### Lighters

### Humidification

### Containers

### Butane

### Find a Retailer

SKU	Title	Price	Cart
428XIBK	XIKAR Stair Step Ashtray Black	\$29.99	<a href="#">Add to cart &gt;&gt;</a>
428XIWH	XIKAR Stair Step Ashtray White	\$29.99	<a href="#">Add to cart &gt;&gt;</a>



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## XIKAR HC Series Ceramic Ashtrays



^ XIKAR Ceramic Ashtray : Black



^ XIKAR Ceramic Ashtray : White

^ Click image for close-up view



From first light to the last ash, smoke in style with XIKAR HC Series Ashtrays.

The beautiful HC Series Ceramic Ashtray prominently features the one-of-a-kind decoupage design. This ashtray incorporates the Havana Collection motif around the top and edges and is available in black or white high gloss finish. The ceramic ashtray has stirrups for four cigars, perfect for a solo smoke on the porch or a large poker night with your cigar smoking buddies.

XIKAR's HC Series ceramic ashtray will make a unique centerpiece for your smoking area, plus the large bowl will hold enough cigar ashes while enjoying your favorite HC Series cigar.

Fit 4 cigars max.

SKU	Title	Price	Cart
427HCBK	XIKAR Black Havana Collection Ceramic Ashtray	\$59.99	Add to cart >>
427HCWH	XIKAR White Havana Collection Ceramic Ashtray	\$59.99	Add to cart >>

### Accessories

[Ceramic Ashtrays](#)  
[Crystal Ashtrays](#)  
[Ashtray Can](#)  
[Hats](#)  
[Shirts](#)  
[Stingray Sheath](#)

### Collections:

[Carbon Fiber](#)  
[Havana Collection](#)  
[Liga Privada](#)  
[Mayan Collection](#)  
[Room101 Collection](#)

### Cutters

### Lighters

### Humidification

### Containers

### Butane

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^ XIKAR Crystal Ashtray : Black

^ Click image for close-up view

## XIKAR HC Series Crystal Ashtrays

From first light to the last ash, smoke in style with XIKAR HC Series Ashtrays.



The elegance of the XIKAR HC Series Crystal Ashtray appeals to versatile tastes and styles with an artful decoupage design. The HC Series crystal ashtray is the perfect gift for any cigar aficionado who fully embraces the love of the leaf and passionate about the Havana Collection. This sophisticated decoupage crystal ashtray makes the perfect accent piece for any man-cave, smoking lounge, office or patio deck. While you can't judge a book from its cover, you can judge how much a true cigar smoker loves the experience from their HC Series smoking accessories.

Fit 5 cigars max.

SKU	Title	Price	Cart
426HCBK	XIKAR Black Havana Collection Crystal Glass Ashtray	\$89.99	Add to cart >>

### Accessories

[Ceramic Ashtrays](#)  
[Crystal Ashtrays](#)  
[Ashtray Can](#)  
[Hats](#)  
[Shirts](#)  
[Stingray Sheath](#)

### Collections:

[Carbon Fiber](#)  
[Havana Collection](#)  
[Liga Privada](#)  
[Mayan Collection](#)  
[Room101 Collection](#)

### Cutters

### Lighters

### Humidification

### Containers

### Butane

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^ XIKAR Ashtray Can



^ XIKAR Ashtray Can detail

^ Click image for close-up view

## XIKAR Portable Ashtray Can

XIKAR's Ashtray Can is the perfect cigar accessory for the smoker on the go

- Stainless steel construction
- Fits into cup holders and consoles of most cars, motorcycles, boats, rv, golf carts, etc
- Ring and spiral secures cigars and cigarettes
- Deep reservoir is perfect for holding any cigar
- Easy slide-on lid keeps the ashes and odors contained



Fits perfectly in your car's cup holder.



Ring and spiral cigar holder accommodates many cigar sizes.

Width: 2.75 inches

Height: 4 inches

### Custom Engrave Your Product:

You may engrave this product with a personalized message! To learn more, visit our services page. Please note that custom engraved orders have an approximate **three week** lead time for processing!

Unfortunately, we can only engrave your XIKAR products when purchased through our website before the order is processed

SKU	Title	Price	Cart
424AC	XIKAR Metal Ashtray Can	\$19.99	<a href="#">Add to cart</a> >>

### Accessories

[Ceramic Ashtrays](#)  
[Crystal Ashtrays](#)  
[Ashtray Can](#)  
[Hats](#)  
[Shirts](#)  
[Stingray Sheath](#)

### Collections:

[Carbon Fiber](#)  
[Havana Collection](#)  
[Liga Privada](#)  
[Mayan Collection](#)  
[Room101 Collection](#)

### Cutters

### Lighters

### Humidification

### Containers

### Butane

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Ultra Slim Carbon Fiber



Ultra Slim Gunmetal



Ultra Slim Silver



Ultra Slim Gold

^ Click image for  
close-up view

## Xi Ultra Slim Cutters

XIKAR's Xi series of cutters are world renowned. So when we proudly introduce a cutter without the iconic 'teardrop' shape, you can rest assured the Ultra has passed our strict tests for sharpness, quality & style. A 64 ring gauge and as thin as a few credit cards, (only 3.5mm thin!) the Ultra will fit any occasion. As useful as any Xi cutter, you'll never forget it rests your pocket or wallet



**Total length:** 2.5 inches.

**Total weight:** 1.5 oz!

View the Ultra Slim Cutter's perfect match, the Ultra Slim Lighter.

### Cutte

01  
01  
01  
71  
M  
U  
V  
X  
X  
X  
X



### How Guille

### Collec

C  
H  
L  
M  
R

### Light

### Humi

### Conta

### Butan

### Acces



F

#### Custom Engrave Your Product:

You may engrave this product with a personalized message! To learn more, visit our services page. Please note that custom engraved orders have an approximate **three week** lead time for processing!

Unfortunately, we can only engrave your XIKAR products when purchased through our website before the order is processed.

SKU	Title	Price	Cart
107CF	XIKAR Carbon Fiber Ultra Slim Cigar Cutter	\$99.99	Add to cart >>
907GD	Gift Pack - Ultra CutterLighter Combo - Gold	\$89.99	Add to cart >>
907GM	Gift Pack - Ultra CutterLighter Combo - Gunmetal	\$89.99	Add to cart >>
907SL	Gift Pack - Ultra CutterLighter Combo - Silver	\$89.99	Add to cart >>
107GD	XIKAR Gold Ultra Slim Cigar Cutter	\$49.99	Add to cart >>
107GM	XIKAR Gunmetal Ultra Slim Cigar Cutter	\$49.99	Add to cart >>
107SL	XIKAR Silver Ultra Slim Cigar Cutter	\$49.99	Add to cart >>

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^ Xi Titanium

^ Click image for  
close-up view

## XIKAR Xi1 Titanium Cutter

The XIKAR® Xi1 Cutter gives cigar enthusiasts the finest cigar cut with power, efficiency and ease of use. An aluminum body encases HRC57 stainless steel blades in a spring-loaded, ergonomic shape. This is the finest cutter you can buy - WE GUARANTEE IT!

Xi cutter blades are all made of high-quality 440 stainless steel with an HRC of 57.

All Xi Cutters are the same ring gauge: they will cut a 54 ring gauge cigar in half. Depending on how much cap you cut, they will cut up to a 58 ring gauge cigar.

[Click here to check out a brand new Stingray sheath for your Xi cutter](#)

US Patent # 5937523

### Custom Engrave Your Product:

You may engrave this product with a personalized message! To learn more, visit our [services](#) page. Please note that custom engraved orders have an approximate **three week** lead time for processing!

Unfortunately, we can only engrave your XIKAR products when purchased through our website before the order is processed.

SKU	Title	Price	Cart
100T1	XIKAR Titanium Xi1 Cigar Cutter	\$59.99	Add to cart >>>

### Cutters:

007 Punches  
009 Punches  
011 Punches  
744 Cigar Cut Knife  
MTX Multi-Tool  
Ultra Slim  
VX V-Cut  
X8 64 Ring Gauge  
Xi1  
Xi2  
Xi3



### How to Cut with a Double Guillotine

### Collections:

Carbon Fiber  
Havana Collection  
Liga Privada  
Mayan Collection  
Room101 Collection

### Lighters

### Humidification

### Containers

### Butane

### Accessories

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NEW Finish  
^ Axia : G2



NEW Finish  
^ Axia : Pearl



^ Axia : Black



^ Axia : Chrome Polish



^ Axia : Gunmetal



^ Axia : Red

## XIKAR Axia Double Flame Lighters

The double jet flame lighter is the go-to, all purpose lighter for any cigar size and situation. Add XIKAR style, a sleek yet heavy casing, a great feel and the best warranty and you've got it made with the Axia double jet flame lighter. First, flip up the top cap and expose two protected ignition jets. With your thumb, pull down the center trigger to fire up two extremely powerful jets and get that cigar lit in no time. A large fuel adjustment wheel adjusts quickly to your preference and a fuel window reminds you to refill. Available in 6 finishes: black, chrome polish, gunmetal, red, blue and G2.



[View XIKAR Lighter Instructions >>](#)

### Custom Engrave Your Product:

You may engrave this product with a personalized message! To learn more, visit our [services page](#). Please note that custom engraved orders have an approximate **three week** lead time for processing!

Unfortunately, we can only engrave your XIKAR products when purchased through our website before the order is processed.

SKU	Title	Price	Cart
540BK	XIKAR Black Axia Lighter	\$69.99	<a href="#">Add to cart &gt;&gt;</a>
540BL	XIKAR Blue Axia Lighter	\$69.99	<a href="#">Add to cart &gt;&gt;</a>
540CS	XIKAR Chrome Silver Axia Lighter	\$69.99	<a href="#">Add to cart &gt;&gt;</a>
540GM	XIKAR Gunmetal Axia Lighter	\$69.99	<a href="#">Add to cart &gt;&gt;</a>
540RD	XIKAR Red Axia Lighter	\$69.99	<a href="#">Add to cart &gt;&gt;</a>

### Lighters

[Axia](#)  
[Element](#)  
[Ellipse II](#)  
[Enigma](#)  
[Escalade](#)  
[EX](#)  
[EXII](#)  
[Executive II](#)  
[Flash](#)  
[Genesis](#)  
[Incline](#)  
[NXT](#)  
[Pipeline](#)  
[Plunge](#)  
[Pulsar](#)  
[Resource](#)  
[Scribe](#)  
[Stratosphere](#)  
[Table Top](#)  
[Tech](#)  
[Trezo](#)  
[Ultra](#)  
[Versa](#)  
[Vitara](#)  
[XTX Double](#)  
[XTX Tabletop](#)



**How to Fill and Bleed Lighters**

### Butane Collections:

[Carbon Fiber](#)  
[Havana Collection](#)  
[Liga Privada](#)  
[Mayan Collection](#)  
[Room101 Collection](#)

### Cutters

### Humidification

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^ Envoy 1 : Black



^ Envoy 1 : Cognac



^ Envoy 3 : Black



^ Envoy 3 : Cognac



^ Envoy 3 : Interior

## XIKAR Envoy Cigar Cases

Because the finest cigar in the world is worthless after being crushed in your pocket, XIKAR now ensures you can protect your investment in full style!



Each Envoy Cigar Case holds one, two or three cigars up to 54-ring gauge each, keeping any smoke safe with a modern style all its own. With top-grain, armada leather, each piece has a well-dressed appearance and a soft feel. Contrast stitching secures the leather, giving it a contemporary look. The inner lining of the crush-proof case, crafted with genuine Spanish cedar, holds the ambient humidity of the cigar and projects the fresh cedar smell of a humidor on every opening. Stylish metal caps cover each end, reinforcing the strength of the case.

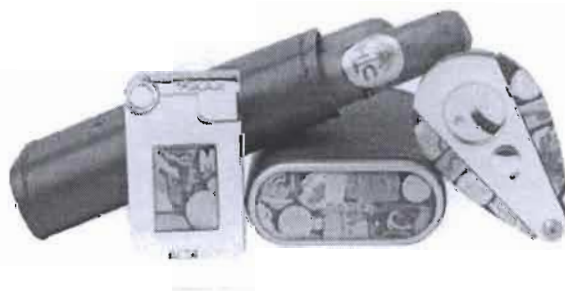
The telescoping cases can hold up to the following size of Churchill-length cigars:

Envoy Single: 1 - 58 Ring Gauge

Envoy Triple: 3 - 52 Ring Gauge or 2 - 54 Ring Gauge

## Havana Collection Envoy 3 Cigar Case

The Havana Collection Envoy cigar case is the perfect compliment any of XIKAR's popular Havana Collection products including Cutters, Lighter and Travel Cases. The Havana Envoy 3 cigar case boldly boasts a Havana Collection themed cap made of the finest cigar band reproduction art available.



### Containers:

[Envoy Cases](#)

[Travel Humidors](#)



### How to Store & Transport Cigars

### Collections:

[Carbon Fiber](#)

[Havana Collection](#)

[Liga Privada](#)

[Mayan Collection](#)

[Room101 Collection](#)

### Cutters

### Lighters

### Humidification

### Butane

### Accessories

[Find a Retailer](#)





^ Havana Collection  
Envoy



^ Carbon Fiber Collection  
Envoy

^ Click image for  
close-up view

## Carbon Fiber Collection Envoy 3 Cigar Case

The Carbon Fiber Collection Envoy cigar case is the perfect compliment to XIKAR's popular Carbon Fiber Collection products including Cutters and Lighters. The Carbon Fiber Envoy 3 cigar case sports a bold yet classy cap made of genuine carbon fiber.



SKU	Title	Price	Cart
249BK	XIKAR Brown Havana Collection Envoy Case	\$89.99	Add to cart >>
249CF	XIKAR Carbon Fiber Envoy Case	\$89.99	Add to cart >>
243BK	XIKAR Black Envoy Case	\$49.99	Add to cart >>
243CN	XIKAR Cognac Envoy Case	\$49.99	Add to cart >>
241BK	XIKAR Black Envoy Case	\$29.99	Add to cart >>
241CN	XIKAR Cognac Envoy Case	\$29.99	Add to cart >>



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**Mark:** XIKAR

**US Serial Number:** 75152549

**Application Filing Date:** Aug. 19, 1996

**US Registration Number:** 2200215

**Registration Date:** Oct. 27, 1998

**Register:** Principal

**Mark Type:** Trademark

**Status:** The registration has been renewed.

**Status Date:** Jun. 03, 2008

**Publication Date:** Apr. 29, 1997

**Notice of Allowance Date:** Jul. 22, 1997

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### Mark Information

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**Mark Literal Elements:** XIKAR

**Standard Character Claim:** No

**Mark Drawing Type:** 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

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### Goods and Services

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**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- • Brackets [...] indicate deleted goods/services;
- • Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- • Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** cigar cutters

**International Class:** 034 - Primary Class

**U.S Class:** 002, 008, 009, 017

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Feb. 06, 1997

**Use in Commerce:** Feb. 06, 1997

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### Basis Information (Case Level)

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<b>Filed Use:</b>	No	<b>Currently Use:</b>	Yes	<b>Amended Use:</b>	No
<b>Filed ITU:</b>	Yes	<b>Currently ITU:</b>	No	<b>Amended ITU:</b>	No
<b>Filed 44D:</b>	No	<b>Currently 44D:</b>	No	<b>Amended 44D:</b>	No
<b>Filed 44E:</b>	No	<b>Currently 44E:</b>	No	<b>Amended 44E:</b>	No
<b>Filed 66A:</b>	No	<b>Currently 66A:</b>	No		
<b>Filed No Basis:</b>	No	<b>Currently No Basis:</b>	No		

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### Current Owner(s) Information

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**Owner Name:** XIKAR, INC.  
3305 TERRACE STREET  
**Owner Address:** KANSAS CITY, MISSOURI 64111  
UNITED STATES

**Legal Entity Type:** CORPORATION  
**State or Country Where Organized:** KANSAS

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### Attorney/Correspondence Information

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#### Attorney of Record

**Attorney Name:** J. DAVID WHARTON  
**Docket Number:** 506408-0002

#### Correspondent

**Correspondent Name/Address:** J. DAVID WHARTON  
STINSON MORRISON HECKER LLP  
1201 WALNUT, SUITE 2800  
STINSON MORRISON HECKER LLP  
KANSAS CITY, MISSOURI 64106-2150  
UNITED STATES

**Phone:** (816) 842-8600  
**Fax:** (816) 691-3495

**Correspondent e-mail:** [TRADEMARK@STINSON.COM](mailto:TRADEMARK@STINSON.COM)  
**Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

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## Prosecution History

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Date	Description	Proceeding Number
Jun. 03, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67723
Jun. 03, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 28, 2008	ASSIGNED TO PARALEGAL	67723
May 15, 2008	TEAS SECTION 8 & 9 RECEIVED	
Aug. 03, 2007	CASE FILE IN TICRS	
May 25, 2004	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 15, 2004	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 15, 2004	TEAS SECTION 8 & 15 RECEIVED	
May 20, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 27, 1998	REGISTERED-PRINCIPAL REGISTER	
Aug. 27, 1998	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 27, 1998	ASSIGNED TO EXAMINER	74290
Aug. 03, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jan. 30, 1998	NON-FINAL ACTION MAILED	
Jan. 29, 1998	ASSIGNED TO EXAMINER	73341
Jan. 23, 1998	STATEMENT OF USE PROCESSING COMPLETE	
Dec. 08, 1997	USE AMENDMENT FILED	
Jul. 22, 1997	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 29, 1997	PUBLISHED FOR OPPOSITION	
Mar. 28, 1997	NOTICE OF PUBLICATION	
Feb. 25, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 13, 1997	ASSIGNED TO EXAMINER	73341

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## Maintenance Filings or Post Registration Information

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**Affidavit of Continued Use:**      Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted  
**Renewal Date:** Oct. 27, 2008

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## TM Staff and Location Information

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### TM Staff Information - None

#### File Location

**Current Location:** POST REGISTRATION      **Date in Location:** Jun. 03, 2008

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## Assignment Abstract of Title Information

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### Summary

**Total Assignments:** 1      **Registrant:** Keppel, Kurt Van

Assignment 1 of 1

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**Conveyance:** ASSIGNS THE ENTIRE INTEREST

**Reel/Frame:** [2827/0250](#)      **Pages:** 3

**Date Recorded:** Apr. 06, 2004

**Supporting Documents:** [assignment-tm-2827-0250.pdf](#)

### Assignor

**Name:** [KEPPEL, KURT VAN](#)      **Execution Date:** Mar. 25, 2004

**Legal Entity Type:** INDIVIDUAL      **Citizenship:** UNITED STATES

### Assignee

**Name:** [XIKAR, INC.](#)

**Legal Entity Type:** CORPORATION      **State or Country Where Organized:** KANSAS

**Address:** P.O. BOX 025757  
KANSAS CITY, MISSOURI 64102

### Correspondent

**Correspondent Name:** STINSON MORRISON HECKER LLP

**Correspondent Address:** CONSTANCE M. JORDAN  
1201 WALNUT, SUITE 2800  
KANSAS CITY, MO 64106-2150

**Domestic Representative - Not Found**

**Generated on:** This page was generated by TSDR on 2013-03-06 12:01:27 EST

**Mark:** XIKAR FOR LIFE

**XIKAR FOR LIFE**

**US Serial Number:** 85751610

**Application Filing Date:** Oct. 11, 2012

**Register:** Principal

**Mark Type:** Trademark

**Status:** A non-final Office action has been sent (issued) to the applicant. This is a letter from the examining attorney requiring additional information and/or making an initial refusal. The applicant must respond to this Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

**Status Date:** Feb. 09, 2013

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### Mark Information

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**Mark Literal Elements:** XIKAR FOR LIFE

**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

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### Goods and Services

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**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** CIGARS, CIGAR CUTTERS; HUMIDORS; CIGAR CARRYING CASES; CIGAR STORAGE DEVICES; CIGAR LIGHTERS

**International** 034 - Primary Class

**U.S Class:** 002, 008, 009, 017

**Class:**  
**Class Status:** ACTIVE  
**Basis:** 1(a)  
**First Use:** Oct. 31, 2010 **Use in Commerce:** Oct. 31, 2010

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### Basis Information (Case Level)

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<b>Filed Use:</b>	Yes	<b>Currently Use:</b>	Yes	<b>Amended Use:</b>	No
<b>Filed ITU:</b>	No	<b>Currently ITU:</b>	No	<b>Amended ITU:</b>	No
<b>Filed 44D:</b>	No	<b>Currently 44D:</b>	No	<b>Amended 44D:</b>	No
<b>Filed 44E:</b>	No	<b>Currently 44E:</b>	No	<b>Amended 44E:</b>	No
<b>Filed 66A:</b>	No	<b>Currently 66A:</b>	No		
<b>Filed No Basis:</b>	No	<b>Currently No Basis:</b>	No		

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### Current Owner(s) Information

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**Owner Name:** XIKAR, INC.  
3305 TERRACE STREET  
**Owner Address:** KANSAS CITY, MISSOURI 64111  
UNITED STATES  
**Legal Entity Type:** CORPORATION **State or Country Where Organized:** KANSAS

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### Attorney/Correspondence Information

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#### Attorney of Record

**Attorney Name:** J. DAVID WHARTON **Docket Number:** 0506408-0051

#### Correspondent

**Correspondent Name/Address:** J. DAVID WHARTON  
STINSON MORRISON HECKER LLP  
1201 WALNUT ST STE 2900  
KANSAS CITY, MISSOURI 64106-2178  
UNITED STATES  
**Phone:** 816.842.8600 **Fax:** 816.691.3495  
**Correspondent e-mail:** [TRADEMARK@STINSON.COM](mailto:TRADEMARK@STINSON.COM) **Correspondent e-mail Authorized:** Yes



## Domestic Representative - Not Found

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### Prosecution History

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Date	Description	Proceeding Number
Feb. 09, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 09, 2013	NON-FINAL ACTION E-MAILED	6325
Feb. 09, 2013	NON-FINAL ACTION WRITTEN	76795
Feb. 08, 2013	ASSIGNED TO EXAMINER	76795
Oct. 17, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 15, 2012	NEW APPLICATION ENTERED IN TRAM	

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### TM Staff and Location Information

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#### TM Staff Information

<b>TM Attorney:</b>	ESTRADA, LINDA M	<b>Law Office Assigned:</b>	LAW OFFICE 104
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#### File Location

<b>Current Location:</b>	TMEG LAW OFFICE 104 - EXAMINING ATTORNEY ASSIGNED	<b>Date in Location:</b>	Feb. 09, 2013
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